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Patent and Trademark Office on August 24, 2004  
(Date of Deposit)

FRANK C. NICHOLAS (33,983)

Name of applicant, assignee or registered representative

Signature

August 24, 2004

Date of Signature

PATENT

Case No. AUS920010190US1  
(9000/33)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

MARIA A. HIMMEL, *ET AL*

Serial No.: 09/821,134

Filed: MARCH 29, 2001

Title: METHOD AND SYSTEM FOR  
SCHEDULE BASED ADVERTISING  
ON A MOBILE PHONE

Examiner: CHO, UN C.

Group Art Unit: 2682

RESPONSE TO FINAL OFFICE ACTION DATED JUNE 22, 2004

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Commissioner for Patents  
P.O. Box 1450  
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Dear Sir:

This is a response to a Final Office Action dated June 22, 2004.

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Date: AUGUST 24, 2004

To: EXAMINER UN C. CHO  
U.S. PATENT AND TRADEMARK OFFICE

Fax #: (703) 872-9315

From: FRANK C. NICHOLAS  
Phone #: (847) 424-2521

Client/Matter No.: AUS920010190US1 (9000/33)

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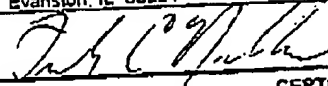
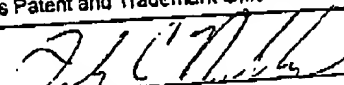
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Attorney Docket No	AUS920010190US1 (9000/33)
	Application Number	09/821,134
	Filing Date	MARCH 29, 2001
	First Named Inventor	MARIA A. HIMMEL
	Group Art Unit	2882
	Examiner	CHO, UN C

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Response to Final Office Action Dated June 22, 2004 <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declarations(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Petition for Extension of Time Request (dup) <input type="checkbox"/> Express Abandonment Under 37 CFR 1.138 <input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawings <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input type="checkbox"/> Additional Enclosure(s) (please identify below) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.		

## CALCULATION OF FEE

				Small Entity		or	Large Entity	
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	x \$9=	0	x \$18=	
Indep		Minus		0	x \$43=	0	x \$86=	
First Presentation of Multiple Dep. Claim					+ \$145=		+ \$290=	
					total add'l fee		total add'l fee	
					\$ 0		\$ 0	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Frank C. Nicholas Registration No. 33 983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature		Date	August 24, 2004
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Signature		Date	August 24, 2004